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New Nutrition Labeling Regulations

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Report Highlights:

The Department of Health published new nutrition labeling and nutrition claim regulations based on Codex Alimentarius guidelines. Consumer-packaged foods produced on or after September 1, 2002 must conform with the new regulations. In addition, all dairy products and all beverages produced after January 1, 2003, except alcoholic beverages, must have nutrition labeling. The English language version of the regulation on nutrition labeling is included in this report. Labeling must be in Mandarin Chinese using Traditional characters.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Taipei [TW1], TW

On September 10, 2001, the Department of Health (DOH) announced publicly that any consumer packaged food marketed on Taiwan that makes nutritional claims should carry specific nutrition labeling effective September 1, 2002. The "Regulation on Nutrition Labeling for Packaged Food" and the "Regulation on Nutrition Claims for Packaged Food" were promulgated simultaneously. The official English language version of the former was recently made available to Post.

The labeling referenced in this report denotes labeling in Mandarin Chinese using Traditional characters. The "Regulation on Nutrition Labeling for Packaged Food" is attached (Appendix 1). The principles of nutrition labeling, as reported in TW0009, were announced in 1998 for reference and to encourage industry's voluntary participation. However, the September 10, 2001 regulations are mandatory.

The implementation of the above labeling requirements is based on the manufacturing date of the products, meaning that any packaged food which is produced on or after September 1, 2002, must provide nutrition labeling if it makes a nutrition claim. Imported products which fail to comply with the regulations will not be permitted entry.

In practice, importers of non-compliant products can apply to DOH for improvement as DOH does for packaged foods which fail to meet the current Chinese language labeling requirements. Improvement allows the importer to have the labels affixed or corrected, usually in a bonded warehouse or bonded logistics center. However, application for improvement takes additional time and therefore is costly for importers. DOH normally grants improvement. Post recommends that U.S. suppliers prepare for the new regulations.

The English version of the "Regulation on Nutritional Claims for Packaged Food" is not yet available. Post will send it in by FAIRS report when it is available. In summary, the "Regulation on Nutritional Claims for Packaged Food" divides nutritional claims into two categories: "appropriate intake needed" and "supplementary intake may be taken". The former is for nutrients such as calories, fat, saturated fatty acids, cholesterol, sodium and sugar, for which excessive intake will adversely affect human health. The latter is for nutrients such as dietary fiber, Vitamin A, Vitamin B1, Vitamin B2, Vitamin C, Vitamin E, Calcium and Iron, for which insufficient intake will negatively affect human health. The regulation also details the criteria for the content level of the nutrients to be labeled as "free", "without" or "zero", "low", "little", "weak", "slightly contained", "high", "rich in", "fortified", "excellent source of", "source of", "provide" or "contain" of nutrients.

The Bureau of Standards, Metrology and Inspection (BSMI), which is commissioned by the DOH to do import inspection at the point of entry, will hold various meetings in May 2002 with importers to illustrate how the new nutrition labeling requirements are to be enforced for imports.

DOH, on December 31, 2001, further announced that, beginning January 1, 2003, two categories of processed food, namely dairy products and beverages, must provide nutrition labeling in all cases. Dairy products include milk, condensed milk, milk powder, cheese, butter, cream, yogurt (drink), whey powder and other dairy products. The implementation of the requirements is based on the manufacturing date of the products, meaning that any dairy products or beverages which

are produced or bottled on or after January 1, 2003, must carry nutrition labeling whether or not it makes a nutrition claim. DOH claims that the regulations are Codex consistent. The requirement is mandatory. Imports which fail to comply with the regulations will not be permitted entry.

DOH claims that all the regulations are based on principles set forth by the Codex Alimentarius. There has been no notification to Taiwan's trading partners. Please note that these requirements might be slightly different from the nutrition labeling currently applied by food industry in the United States as Post understands that U.S. standards differ from Codex's. DOH recognizes its notification obligation as a World Trade Organization (WTO) member, but indicates that the regulations were promulgated prior to Taiwan's WTO accession on January 1, 2002.

Appendix 1. Regulations on Nutrition Labeling for Packaged Food

Begin Text

Regulation on Nutrition Labeling for Packaged Food

Translated by Baker & McKenzie Attorneys-at-Law, Taipei.

Edited by Department of Health.

1. Following the steps of many developed countries, the nutrition labeling regulation of Taiwan is established in order to meet consumers' demand and to foster a better knowledge of nutrition information on packaged food.
2. Any packaged food offer to the consumers for which bears nutrition claim should provide nutrition labeling. Nutrition claim means any representation which states, suggests or implies that a food product has particular nutrition properties (such as containing of vitamin A, high calcium, low sodium, cholesterol-free, high fiber etc.) However, a description of the ingredients contained in a food product (e.g., the food product contains such ingredients as maltodextrin, corn oil, lecithin, calcium carbonate, vitamin A palmitate, vitamin B₂ and vitamin D₃) is not a nutrition claim. Nowever, even if a packaged food does not bear any nutrition claim, the nutrition labeling regulations provided herein still applies if the nutrition labeling is to be provided.
3. The nutrition labeling for a packaged food shall provide the following information shown at the conspicuous place of the outer package or container of the product:
 - 1) Items of labeling
 - a) The heading "Nutrition labeling"
 - b) Content of energy
 - c) Content of protein, fat, carbohydrate and sodium contained (note that the carbohydrate includes dietary fiber)

- d) Content of other nutrients declared in the nutrition claim
 - e) Content of other nutrients labeled by the producer voluntarily
- 2) With respect to the content of energy and nutrients contained, the labeling value for solid (semi-solid) food shall be expressed in units of 100 grams or grams per serving, and for liquid food (drinks) in units of 100 milliliters or milliliters per serving. If the value is expressed on per serving basis, the number of servings contained in each package of the product shall also be specified.
- 3) Labeling unit of the content of energy and other nutrients:

The content of energy contained in a food product shall be expressed in kcal, that of protein, fat and carbohydrate in gram, that of sodium in milligram, and that of other nutrients in gram, milligram or microgram whatever being appropriate.

4) Daily Value of Nutrient Intake:

Each nutrient may further be expressed in percentage of Daily Value of Nutrient Intake, though the following numerical value shall serve as the basis of and shall be noted as the Daily Value of Nutrient Intake:

Energy	2000 Kcal
Protein	60 gram
Fat	55 gram
Carbohydrate	320 gram
Sodium	2400 mg
Saturated fatty acids	18 gram
Cholesterol	300 mg
Dietary fiber	20 gram
Vitamin A	600 mcg
Vitamin B1	1.4 mg
Vitamin B2	1.6 mg
Vitamin C	60 mg
Vitamin E	12 mg
Calcium	800 mg
Iron	15 mg

5) Rule of rounding-off :

Nutrients shall be expressed in not more than three significant figures and each serving, content of energy, protein, fat, carbohydrate and sodium shall be expressed in integer or to the first place of decimal; further, the nutrient content of energy, protein, fat, carbohydrate, sodium, fatty acids, and sugar may be labeled as "0" if it meets the criteria in the following chart:

Nutrient	Criteria for being labeled as "0"
Energy	Nutrient content is less than 4 Kcal for 100 gram of solid (semi-solid) food or 100 ml of liquid food
Protein	Nutrient content is less than 0.5 gram for 100 gram of solid (semi-solid) food or 100 ml of liquid food
Fat	
Carbohydrate	
Sodium	Nutrient content is less than 5 mg for 100 gram of solid (semi-solid) food or 100 ml of liquid food
Saturated fatty acids	Nutrient content is less than 0.1 gram for 100 gram of solid (semi-solid) food or 100 ml of liquid food
Sugar	Nutrient content is less than 0.5 gram for 100 gram of solid (semi-solid) food or 100 ml of liquid food

4. Attached are the examples of the labeling format.

Nutrition Labeling	
Serving size	gm ml
This package contains	servings
Per serving	
Energy	Kcal
Protein	gm
Fat gm	
Carbohydrate	gm
Sodium	mg
Content of other nutrient claimed	
Content of other nutrients	

(I)

Nutrition Labeling	
Per 100 gm(ml)	
Energy	Kcal
Protein	gm
Fat	gm
Carbohydrate	gm
Sodium	mg
Content of other nutrient claimed	
Content of other nutrients	

(II)

Nutrition Labeling	
Per serving	Per 100 gm(ml)

(III)

Serving size	gm(ml)	This package contains servings
Energy	Kcal	Kcal
Protein	gm	gm
Fat	gm	gm
Carbohydrate	gm	gm
Sodium	mg	mg
Content of other nutrient claimed		
Content of other nutrients		

Nutrition Labeling		
Serving size	gm(ml)	
This package contains	servings	
	Per Serving	Percentage of Daily Value of Nutrient Intake provided by per serving
Energy	Kcal	%
Protein	gm	%
Fat	gm	%
Carbohydrate	gm	%
Sodium	mg	%

Content of other nutrient claimed
Content of other nutrients

*Daily Value of Nutrient Intake:2000 Kcal of energy, 60 gram of protein, 55 gram of fat, 320 gram of carbohydrate, and 2400 mg of sodium.

(IV)

*Daily Value of Nutrient Intake:2000 Kcal of energy, 60 gram of protein, 55 gram of fat, 320 gram of carbohydrate, and 2400 mg of sodium.

(V)

Nutrition Labeling		
	Per 100 gm(ml)	Percentage of Daily Value of Nutrient Intake provided by per 100 gm(ml)
Energy	Kcal	%
Protein	gm	%
Fat	gm	%
Carbohydrate	gm	%
Sodium	mg	%
Content of other nutrient claimed		
Content of other nutrients		

End text